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# NEEDED MUNICIPAL REFORMS.

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## I. OUR PRESENT OPPORTUNITY.

BY THE REV. C. H. PARKHURST, D. D.

DIFFICULT as it is to arouse public opinion, there is still a greater difficulty in harnessing down that aroused opinion into discreet and concerted action. No one can be knowing to the present condition of sentiment in this city, as expressed in the common speech of men, and as reflected in the public journals, without being assured that if enthusiasm and indignation were all that are required in order to a municipal revolution, the necessary material is amply in hand. Unfortunately, however, sentiment, no matter how honest and well-intentioned, cannot be counted on for safe, and least of all for concerted, efforts. There are not a great many intelligent and reputable people in this city, and scarcely a respectable journal, but what antagonize strenuously the existing *régime*. Now if all that were required was a plebiscitum, in which each citizen had only to vote for or against the continuance of Tammany control by a "yes" or "no" ballot, probably the business could be pretty easily finished. The intelligence and conscience of the city are quite solidly arrayed *against* the administration now existing, but there are not evident the symptoms of a similar consensus *in favor* of any other mode of administration to take its place. Destructive agreement is an easy matter, and this city is full of it; but constructive agreement is a rarity and a luxury. This is the rock upon which municipal reform has been wrecked in times past, and there is a possibility, not to say a probability, that it will be wrecked on the same rock next November.

Political revivals are in that particular somewhat like revivals of religion. Churches of various denominations will, in seasons of religious interest, combine for evangelical effort, with little

consciousness of their interdenominational incompatibility, and the appearance will be that incongruities have been eliminated, and that the lion and the lamb have indeed lain down together. And yet the case has very often been that just that suspension of hostilities has been the occasion of accumulating only a fresh and enhanced supply of interdenominational virus, and I have known of no religious bitterness that rivals that which sometimes develops between churches in the process of capturing the converts after a series of "union services." Human nature is a singular thing, and there is a great deal of it. The illustration we have just used states fairly the condition we are in to-day. We are passing politically through what may be termed a series of "union services." The lion and the lamb—in fact, all the animals except the tiger—are lain down together. There is a harmonization of sentiment that is almost millennial. This harmony, however, is replete with vast possibilities of jealousy and rivalry, and the confidence with which Tammany Hall faces the coming November election is based, to a considerable degree, on its appreciation of that fact. Our purpose in so stating the matter is not to discourage the hopeful, but it is poor philosophy to deal with a situation without having first taken its honest measure.

There exist at the present time a considerable number of reform movements in New York that are agreed in their purpose to destroy Tammany, but that are just as distinct from one another in the complexion of the administration which they desire respectively to establish in its place. Each of these reform movements is aiming at precedence in the overthrow of existing conditions, and each of them already regards with a jealous eye the efforts that are being made by its competitors to marshal the approaching campaign. A man or a clique may be intensely interested in the weal of his city, and yet be still more interested in the success of his personal or political scheme for the compassing of that weal; and when it comes to be a matter between the saving of his city, and the success of his own plan for saving, he gives the preference to the latter, and sacrifices the municipal interest rather than see victorious any rival policy for the promotion of that interest. This has occurred repeatedly in the recent history of this city, and it is extremely probable that it will occur again this year. There are reputable Democrats who are laboring and praying for the overthrow of Tammany Hall, that would nevertheless

rather see Tammany Hall win than to see a Republican elected mayor; and there are Republicans in large number that are guilty of precisely the same sort of political bigotry. They will not confess it, perhaps are not even aware of it; they will not vote the Tammany ticket next November, but they will do what is in effect precisely the same thing: they will refrain from casting an anti-Tammany ballot, and thus become the passive auxiliary of the very condition against which they are to-day laboring and praying.

This is a truth to be stated promptly and urgently. There is being a good deal of hard, honest work done in behalf of our wickedly misgoverned city, and we are some of us continually nettled and acerbated by the reflection that there are political experts of every stripe that are lounging ambitiously around waiting for the opportunity to capture the movement in the interests of their own party or prepossession, posing as reformers till the critical moment comes, and then seizing upon the opportunity with precisely the same hungry rapacity as that which distinguishes the municipal administration we are suffering under already. Unpleasant as the fact may be, it must nevertheless be appreciated by the rank and file of our reputable citizens that a great deal of the bitterness with which Tammany Hall is regarded by some of our conspicuous citizens who have been taking a long political vacation is due exclusively to the fact that they are tired of going barefoot, and are hunting for dead men's shoes. The municipal enthusiasm that is developing among certain political "back numbers," certain Republican and Democratic corpses that have been lying in grave-clothes for some years, waiting for the resurrection tattoo, is too transparent to baffle the perceptions of intelligent citizens who care to take the candid measure of the situation.

The times are ripe for the reconstruction of our municipal life, and the general desire and demand that exist among us for something better will not fail of being realized unless the movement is sidetracked, or unless it is employed for partisan purposes or is prostituted to the promotion of individual ambitions. This is a movement of the people, and the people must not allow themselves to surrender their control of it. Professional politicians have not been the authors of it, and it is not, therefore, a thing to be committed to their custody. The people, as such, have rights here, and one of their rights, and one of their obli-

gations too, is to assert themselves in all that relates to the municipal interest. One of the charges that have been popularly laid against Tammany Hall is its system of "bossism." At present, one man determines our municipal character and administration. Now, it must be urged upon the popular attention that what is needed is not an exchange of "bosses," but the abolition of "bosses." The names can be easily specified of those who are voluminous in their vituperation of Mr. Croker, but whose enmity to him is based, not on the autocratic position he holds, but on the fact that his occupancy of the position cuts them out from occupying it themselves.

The doctrine to be preached in all these matters is that no system of half-measures will hit the urgency of the times or be level to the popular demand. If Tammany control is to be overcome next November, it will be at the pressure of a tide of wisely directed popular enthusiasm, and it will be far easier to develop the requisite enthusiasm by presenting to it men and measures that meet the entire demand, than by presenting to it men and measures that meet the demand but half way. Thoroughness is the prime condition of permanency. If we simply *better* our condition next November, we might about as well remain as we are. Such a result would not pay for the effort it would cost, for we should presently slide back into our present state, and have to repeat the tiresome farce of self-extrication. We do not like machine politics, but we would most of us just as soon be the victim of machine politics that spells itself "Tammany Hall" as the victim of machine politics that spells itself by any other or more reputable name. It is the *thing* we object to, not the name that is tagged to it; and now is a good time to get rid of the *thing*; and we shall get rid of it if, at the popular demand, the politicians are kept from spoiling the movement.

There was probably never in this city so earnest and clear-cut a conviction as now that in all municipal matters the distinctively political element should be reduced to a minimum. People who never said it before are saying it to-day, that the affairs of our city should be administered in the interests of our city, and not in the interests of the office-holders, and not in the interests of any national theory or policy. Conducting the concerns of New York is a business, and the people, with a phenomenal unanimity, are demanding that it should be conducted on business

principles. New earnestness is given to this consensus by the example of the new Mayor of Brooklyn, who proposes to embody that principle in his administration. When the time comes here, as it has in so many of the English cities, that candidacy for official position means above all integrity and competency to fill the position, we shall wonder that it took us so long to graduate from the senseless opinion that a man's national convictions determine his qualifications for municipal trust, and that his views of tariff, or of any other national issue, ever touch the matter of his fitness to stand at the head of a city or at the head of any of its administrative departments.

We, in New York, are in the condition we are in to-day for the reason that our local character and concerns have been so long subordinate to considerations of a national character, and we are, a good many of us, tired of it and disgusted with it. We want the political element of our municipal life exterminated. There is probably not one intelligent and conscientious man out of fifty but what assents to that when the issue is fairly put; and the men who do not assent to it are those who have some ulterior ambition of their own to further, or who are willing to purchase the aggrandizement of their own party at the expense of the economy, thrift, and honor of their municipality. The rank and file of the people are coming out very distinctly upon this ground, and it behooves them to stand firmly by their conviction, and not to allow themselves to be either bulldozed or hoodwinked by the specious machinations of the self-constituted leaders who are trying to make political capital out of the "dear people" whose interests they are affecting to espouse. Instance the matter of a non-partisan police board. At this writing it is proposed that such board should be composed of two Republicans and two Democrats. Certainly a non-partisan board is less mischievous than one that is predominantly either Republican or Democratic; but the legislated obligation to put upon the board two men that are distinctively of one party, and two men that are distinctively of the other party, will be certain to have two evil effects: the first of which is that it will "tie" the board on all questions that involve political considerations—a fact which is amply illustrated by past attempts to secure the conviction of police captains before such a two-headed commission; and the second is that it

will legislatively fasten the political feature upon municipal government, just at a time when men are more anxious than ever before to get rid of political features. The sooner we get rid of the whole system of police commissioners, the better ; such a system affords a nest for all sorts of political machinations to breed in, and, by distributing responsibility, makes it impossible definitely to locate responsibility. At present the superintendent shoulders the blame for non-enforcement of law upon the police commissioners, and the commissioners reciprocate. No one knows the exact point at which either credit or blame is to be attached. The whole effect of our present quadruple commission is to handicap the superintendent, to obfuscate the field of his accountability, and to confuse the entire department by the introduction of ingredients that are foreign to the proper purposes of the department, and to the specific advantage of the municipality. There is no more necessity for the introduction of a commission between the mayor and the superintendent of police than there is for a bureau of control between the agent of a manufactory and the heads of the respective departments into which that manufactory is organized. We shall have neither a safe nor an effective municipal government till it is so relieved of unnecessary machinery that we shall know precisely what to find fault with when things go wrong. A good deal of the present difficulty in dealing with our police department lies in the fact that, corrupt though it be in its entire animus and working, everybody in it hides behind everybody else, and it is next to impossible to pin obligation anywhere. It will be the politicians that will oppose the abolition of such commissioners, for that would be to diminish by so much the number of lucrative positions ; and when you have robbed a politician of boodle and patronage, you have taken from him everything that in his estimation makes government dear.

Our "municipal opportunity," therefore, is to be interpreted not simply in its relations to an escape from the despotism of Tammany, but to the emancipation from the domination of whatever self-constituted authority undertakes to bind us to its behests. What the citizens of this city want is, not an exchange of masters, but deliverance from all masters save that of the collective will. That is the line along which educating influences will have to be made to bear in the months that are to come. Politi-

cians that are "in" will make jest of such a policy ; so will politicians that are "out," but that want to get "in"; but the rank and file of us believe in home government; and when we say home government, we mean not only New York city's government of itself as opposed to government from Albany, but our own individual government of ourselves and participation in the governmental influences that go to compose our municipal character and history. The best thing we can do for months to come will be, not to talk about candidates, and not to draw the net of partisan interest with which we may be severally affiliated, but to prevent the present municipalearnestness from mortgaging itself to any man, movement, or party; to make people intelligently and burningly conscious of the immediate situation ; to go on uncovering the crookedness with which the members of our present city government have warped themselves, and the filth with which they have begrimed themselves ; to be steadily drawing to a finer tension the motives and purposes of our citizenship ; to protest untiringly against the adoption of any half-measures or compromise candidates ; steadily to emphasize the moral element involved in the present warfare, and so to lift the struggle above the level of petty ambition and sectional prejudice that the popular mind shall become more and more elevated and insistent in its demands, and that its choice of leadership be determined, not by the scheming of a cabal, nor by a policy of barter and dicker, but by the wide drift of event and the high exigencies of the hour.

C. H. PARKHURST.

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## II. JUGGLING WITH THE BALLOT.

BY JOHN W. GOFF, COUNSEL TO THE COMMITTEE FOR THE PROSECUTION OF ELECTION FRAUDS.

At a mass meeting held under the auspices of the Bar Association of the City of New York at the Cooper Union last October, a committee of fifty was appointed to invite the co-operation of citizens, irrespective of party, to secure as far as possible an observance of the election laws. A number of gentlemen volunteered to act as watchers at the polls on election day, and while it was, under the circumstances, impracticable to man each of the 1,157 polling-places in the city, yet there was a sufficient



number placed under observation to warrant a fairly accurate estimate of the general practice. Since the enactment of the reform-ballot law in 1890 no organized effort has been made to watch its operation or to detect any illegal practices. The public was satisfied with the popular catch-name of the act, and it slept peacefully upon the assurance that fraud was no longer possible ; but the evidence obtained by the volunteer watchers, and the finding of over sixty indictments by the Grand Jury, mainly against election officials, demonstrate that false registration, false voting, and bribery are as easily and as safely practised as they ever were, and that perjury has enormously increased, owing to the number of safeguards which must be sworn away by the fraudulent voter and the collusive inspector.

During the last seven years there has been a great increase of cheap lodging-houses in the city of New York, whose capacity for accommodation is limited only by the number of lodgers that can be crowded around the stoves and upon the benches. The inmates of these lodging-houses are the nomads of our civilization, with no home, no family ties, no cares for nor interest in government or country, and who around election time are contracted for at so much a head to register and vote. On the days of registration these floaters registered mythical names, giving the lodging-house as their residence. In a majority of cases they claimed to be native-born citizens, and, if naturalized, that they had been naturalized in another State. Of course it may be said that if they swore falsely they were liable to punishment for perjury. That is true, but how is the perjury to be proven ? Who can swear that such a man is not the owner of the name he has given, or that he is not a native-born citizen ? There is no record to appeal to, and he is practically safe from contradiction. As to the period of his residence in the district, he is equally safe. There is no register or record kept in the lodging-houses ; the only formality required is the payment of a small sum for the night. The lodgers usually turn in late at night, and are turned out early in the morning. They rarely spend three nights in succession in the same house. And these tramps, many of them criminals, each registered one or more names which were certain to be voted on by themselves or some other tramps on election day.

The same men who registered did not, as a rule, vote upon the names given. To have them do so would require their main-

tenance at the lodging-house, and that would be too expensive. A more economic plan was adopted. A few days previous to election the proprietors of the lodging-houses were furnished, by the election-district captains, with lists of the names registered from their houses. Separate slips for each name were then supplied, and on election day the tramps, as they came along, were handed the slips, and they voted on the names thus given as frequently as they could get the slips. The election workers were never hard pushed to bring out the registered vote. They simply sent for the men when they wanted them, and were always supplied with the required number. Sometimes the floater forgot the name given to him or could not read the slip; sometimes a man who could not speak English wrestled with an American name, or an English-speaking man struggled with a Polish name. In all of these cases the obliging inspectors helped them out either by looking at the slip or by giving some sort of pronounciation to the unpronounceable name. In some election districts there was a rivalry as to who could vote on the most names, and the man who won the honors was an ex-convict, who voted eighteen times in two election districts of the Third Assembly District. At another election district of the same Assembly district, four ex-convicts voted upon the names of four well-known men in the neighborhood, one of them being a German who kept a wine saloon next door to the polling-place, and was personally known to the election inspectors for years. It is generally accepted that even in presidential elections the vote falls off from the registration ten to twenty per cent.; but in those districts where the lodging-house flourishes, the full registered vote was invariably polled, and the trouble was not in swelling the vote to the number registered, but in keeping it down to that figure, as the supply of voters was inexhaustible. In the Thirtieth Election District of the Second Assembly District, which comprises a single block, there were registered from one small house two stories high above a liquor store, 62; from three houses, 239; and from thirty-one houses, 620. The full registration was voted in this district, and there being but 600 minutes of legal voting time, the rate was a vote a minute and twenty over.

In the Thirty-sixth Election District of the same Assembly District, from four lodging-houses there were registered

and voted upon 337 names. At this polling-place men went in and voted, came out and took their place in line to vote again. There were counted in this assembly district 12,770 votes, and the result of a careful and conservative calculation shows that at least 5,000 of this number were fraudulent votes. In 1892 there were registered from forty houses 1,410. In 1893 from the same houses there were registered 2,105. From one lodging-house in the Second Election District of the Third Assembly District, 183 names were registered and voted upon. From twelve houses in the same district there were registered and voted upon 382 names. The keeper of a well-known lodging-house on the Bowery, an ex-convict for election frauds, was captain of his election district, and whenever the voting became dull he sent around to his lodging-house for a fresh supply. It will be seen that this system of padding the registry is the necessary prelude to the fraudulent voting on election day ; it is simple and inexpensive, and under the present administration of public affairs is reasonably safe from detection or prosecution.

The arrangements of the polling-places were in many instances designed for the perpetration of fraud. Doors from the rear portions of polling-places opened into hallways, and the retiring-booths were so arranged that the workers could go into them from the hall and prepare the ballot for the voter. In other places the booths were ranged in a row, leaving a passageway in the rear, and in the backs of the booths a piece of the muslin was slit out and a man stood there ready to fix the ballots for the voter as soon as he entered. In very few of the election districts was the law observed as to the time of closing the polls. It depended largely whether the full registry list was polled; if it was not, the election-district captain sent to gather in sufficient floaters to complete the list, and the pools were kept open to accommodate him. At one polling-place in the Tenth Assembly District the doors were closed at four o'clock and a piece of paper pasted over the slot in the ballot-box. The inspectors and poll clerks were preparing to canvass the votes when at fourteen minutes past four o'clock the captain hurried with a voter to the door, which was opened, the voter was rushed to the booth, the paster covering over the slot was broken, and the vote received. At a number of polling-places the ballots were secretly marked, and the inspectors, in handling the ballots, had no difficulty in ascertain-

ing, by their sense of touch, from the size, the weight, and the mucilage of the blanket pasters used by the different parties, how the voter had voted.

The provision of the law permitting a blind or disabled person to have assistance in the booth in the preparation of his ballots was perverted into a means for the perpetration of the most shameless perjury and fraud. There were three classes of voters for whose especial benefit the plan was put into operation : *First*, the man who could neither speak nor read the English language ; *second*, the English-speaking man who could not read his ballot ; *third*, the man who it was suspected would not vote the Tammany ticket. These men were accosted on the street or in neighboring saloons, and as soon as the price was fixed, ranging from one dollar and a half to two dollars and a half, they were instructed to go in and take the oath of physical disability, and then select as their guide to the booth the "worker" who stood at the guard-rail. In some cases a pretence was kept up by the worker guiding the assisted voter to the booth, but in the majority of cases all disguise was thrown aside and the performance became a roaring farce. In one election district of the Eighth Assembly District twenty men, mostly colored, took the oath of physical disability, and each of them was accompanied into the booth by the worker, who put the prepared ballot either into the hand or the hat of the voter and stood by him until it was delivered to the inspector. No one of these men was in any sense physically disabled, and the frequent perjuries became the subject of jokes and laughter. One of the "blind" voters, immediately on depositing his ballot, asked for a match to light his cigar, and, seeing one on the floor about six feet away, stepped over and picked it up. Another "blind" voter, when leaving, was warned by a bystander that there was a pin on the floor and not to fall over it ; whereupon the "blind" man stooped down and picked it up. Another voter received his ballots in the ordinary way and retired to the booth ; in a few minutes he came out and said he could not fold his ballots ; the ballot clerk showed him how ; he retired again, but in a little while came out and returned the ballots, saying that he could not tell the Tammany ticket. He went outside the polling-place and in a few minutes returned with the "worker," took the oath of physical disability, was allowed the assistance of the worker in the booth, and this time his ballot was cast in the regulation way. A vol-

unteer watcher protested against what he termed an outrage, even the police officer remonstrated, but the inspectors saw they had no discretion, but were bound to accept the votes.

In some districts the inspectors construed the oath of physical disability to mean illiteracy, but in no instance was the law observed as to the form of the oath or as to noting on the poll-lists the particular disability sworn to, or as to recording the name of the person assisting. It was the common practice for the inspectors and poll clerks to fill up and sign during the day the blank statements and certificates which they were required to make at the close of the canvass, leaving the figures only to be inserted. This was not only a violation of law, but for obvious reasons afforded facilities for fraudulent computations and returns. Even if the minority inspector was disposed to object to a false count—a thing so extraordinary that it did not happen—the majority inspectors having the returns already signed could afford to ignore him; in other words, it was furnishing certificates in advance during the day for what was to take place at the close of the polls.

The names of men well known in their respective districts, and personally known to the inspectors, were voted upon early in the day, so that when the leisurely citizen went to cast his vote he was promptly challenged. In some few districts he was allowed to swear his vote in, but in the greater number he was not, particularly as it grew late in the afternoon, and the chances of a *mandamus* grew less. The names of many respectable Tammany men were voted upon; and when the owners went to vote, their mild complaints were assuaged by the assurance that the ballot already in was the same as they would have voted. A striking example of the extent to which this was carried was furnished in one election district of the Second Assembly District, where a floater voted on the name of the Chairman of the Board of Inspectors. The chairman did not even question, much less challenge, his impersonator, but gravely announced that he himself had voted on the ballot deposited by the floater.

Discipline and rigid political organization were never better exemplified than in the thorough and systematic fraud practised in counting the votes. The uniformity with which certain methods was adopted precludes the belief that they were spasmodic; but on the contrary it forces the conclusion that they were epidemic in conformity to a general policy. As soon as the polls

closed, the election-district captain assumed command. If a volunteer watcher demanded admission he was either kept without the guard-rail or, if admitted, he could not get near enough to the table to see the ballots, owing to a number of broad-shouldered men who, from their hustling capacity, secured the front places. All had blank printed forms of watchers' certificates signed by some candidate or officer of a party organization. It may be noted that watchers' certificates signed in blank convey no authority and are wholly insufficient in law. The whole number of ballots found in the ballot-boxes were first counted. This number should tally exactly with the poll clerk's list, showing the number of voters actually polled, and with the ballot clerk's last consecutive number, showing the number of ballots actually delivered to voters. Almost without exception there were more ballots found in the ballot-box than the ballot clerk's number showed to have been delivered or the poll-list showed to have been voted, and in a great number of districts more than the registration. How they came there is to some extent a mystery ; but in some places ballots were folded in duplicate, and in others the pile of ballots on the table was added to by a sleight-of-hand performance. Where an excess of ballots is so found, the law provides that they shall be thoroughly mingled, and that an inspector shall, without seeing, approach backward and draw out indiscriminately a number of ballots equal to the excess. This law was improved out of existence. The ballots were first opened, then the Democratic ballots were placed in one pile, the Republican ballots in another, and the People's, the Prohibition, and the Socialists' in respective piles. The piles were then placed one on top of the other, the Democratic at the bottom, the Republican next, and the other three without regard to the order. An inspector then walked backwards and felt for the top of the pile, and from that top took the number in excess. One district illustrative of many was the Seventh Election District of the Third Assembly District. Here five hundred and eight names were registered, 495 votes were cast, and 567 ballots were found in the box—an excess of seventy-two ballots which were drawn in the way described, from the top of the pile. In the Eighteenth, Nineteenth, and Twenty-second Election Districts of the Second Assembly District every name registered was voted upon, and every vote cast was given to a certain candi-

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date, and yet a considerable number of men in each district have sworn that they voted for another man. In another Election District of the same Assembly District the inspectors took a number of a certain party's ballots and put them in the stove without waiting for even the formality of a count.

A wholesale attempt was made to count the party ballots as straight tickets without regard to scratches or individual pasters. It was anticipated that the principal scratching would be on Judge Maynard ; hence in the count the inspectors rushed the Democratic ballots as straight, but the volunteer watchers, though jeered and frequently threatened, insisted that scratches be noted, individual pasters be counted, and by their efforts many thousands of votes were saved from a false canvass. It was a common practice to count the ballots by tens, each ten counting one, two, three, and so on ; when all were counted, the total sum of numerals was multiplied by ten, and the result ascertained. While counting, a friendly misunderstanding frequently occurred between the inspectors as to the number of tens counted—for instance, whether it was six or seven or eight or nine—and it was invariably settled in favor of the highest number, thus making it easy to add one or more tens to the actual vote. Once the total figures were settled upon, they became immutable, and no amount of proof produced by the watchers, either of fraud, mistake, or miscalculation, could alter the infallible inspectors.

It would not be just to lay the blame exclusively upon the Tammany inspectors, though, of course, being in the majority and in full control, they were chargeable with all that took place. Republican inspectors either openly co-operated with or quietly acquiesced in the perpetration of the fraud. Many poll clerks and ballot clerks, who serve as such to escape jury duty, were not wilful wrongdoers, but were either ignorant of or indifferent to their duties, but whether from criminal intent, acquiescence, ignorance, or indifference, the result was the same—a great and organized crime was committed against the elective franchise.

JOHN W. GOFF.